

Chapter 6

6. Examine organizational structure and behavior of the federal advisory committees, subcommittees and the Klamath River Fish and Wildlife Office

The evaluation team undertook Task 6 primarily through the use of the interview process described in Chapter 2. Claims and counter-claims about the strengths and weakness of the Program – about the unreasonable cost of Program administration, say, or a perceived bias in the award of restoration grants - were then checked against the available data concerning the actual administration costs or the actual grant project selection process.

Organizational and Political Aspects of the Klamath Fisheries Restoration Program

Finding: After nearly twelve years of work, the Task Force and the Restoration Program are mature enough to be evaluated in terms of their procedures, administrative structure, decision-making, and public reputation. While the program has many strengths, some fundamental weaknesses are evident.

Task Force structure

The Task Force has had more than a decade of experience helping to develop the Restoration Program. A variety of procedures have been put in place to:

- Appoint multi-interest, multi-agency Task Force members
- Adopt an annual budget providing for restoration projects and administrative costs
- Select, administer and permit restoration projects
- Appoint and interact with a Technical Working Group to provide technical analyses and recommendations
- Administer an office and staff
- Arrange logistics for meetings, prepare agendas and minutes
- Prepare Annual Reports and audits as required
- Outreach and interact with other interests in the Klamath Basin

Beyond administrative tasks, the Task Force has also had twelve years to form its own working style, to express fundamental positions on issues, and to develop a reputation with respect to residents, local governments and interest groups.

Respondents generally agree that the start-up problems of program administration have been worked out, and that the Task Force procedures are institutionally mature. More than ten years into the program a series of central issues have now become evident which affect the Task Force and its ability to fulfill its mission.

Consensus as a decision-making process

Finding: There is no consensus on the success of consensus as a decision-making procedure. Opinions are strongly divided as to whether it is a roadblock to meaningful restoration efforts, or the only way to make progress with a divided membership.

The Klamath Act of 1986 was unique among fisheries restoration programs in mandating, in the language of the statute, a consensus process for decision making.¹ Indeed, the requirement was rare for any federal program. Amendments to the Act in 1988 subsequently deleted the explicit language mandating consensus for the Task Force (but not for the KFMC), and left it to the Task Force to establish its own procedures.

Respondents do not recall the Task Force publicly discussing whether or not to continue under rules of consensus following the 1988 amendments; they simply carried on as though the mandate were still in place. Task Force operating procedures were not amended to reflect the 1988 Amendments and they still state: "Should any member object to a motion, that motion will have failed, in accordance with U.S.C. 460ss-4(f)(1)". Several Task Force members continue to contend that consensus is required, and the TF has continued to act under a consensus system.

How consensus is supposed to work

In contrast to a majority vote system, decisions under a consensus process are intended to be made through an iterative process that builds on points of agreement between parties that disagree. Decisions do not always meet with complete unanimity, but acceptable decisions are found so that everyone is at least willing to go along (Gellerman, 1981). Under consensus there are no "no" votes. Indeed, a single "no" vote is considered a veto.

The expectation under consensus is that sufficient time will be spent working through divisive issues so that agreements are found that would not otherwise emerge from a majority vote system. Decisions reached under consensus are expected to have a broader base of support and stronger commitment for implementation, since there is buy-in from all parties.

The Task Force's experience with consensus

Those who were involved in the development of the Klamath Act indicate that the reason for mandating consensus was to protect minority interests. The intent was to bring all stakeholders to the table, but since many of these interests were directly competing with one another for fish and/or water they feared they would be consistently overruled in a majority vote system.

¹ "Sec.4 (f) Transaction of Business.-(1) Decisions of the Task Force - All decisions of the Task Force must be by unanimous vote of all the members."

Task Force members and others are strongly divided as to the success of consensus as it is currently implemented by the Task Force. Some respondents are staunch defenders while others believe the process is entirely dysfunctional.

Successes: Proponents believe that consensus works about 95% of the time and offer the following in support of the process:

- Protects minority interests: Consensus provides an important equalizing tool that protects minority interests which would otherwise be overpowered if they did not wield the threat of the veto. The threat of veto forces consideration of all viewpoints.
- Improves communication: Consensus enhances communication between stakeholders by requiring the group to work through issues. Groups learn to better understand opposing positions and find ways to meet each others needs.
- Keeps issues on table: Consensus guides the subjects brought to the table. If issues are at the table long enough, eventually progress is made.
- Budget indicates success: The proof that consensus works is that an annual budget has always been passed approving a mix of restoration projects.

Credit for the success of the consensus approach is especially due to the late Nat Bingham, who through the quiet strength of his personality, dedication, and experience with people from all viewpoints was able to coax consensus from fearful and resistant interests. Through his force and skill the process worked as well as it has.

Failures: Critics of the process find the following:

- The process blocks significant decisions: As applied by the Task Force, the process is dysfunctional and has stymied any significant progress toward meeting the needs of the restoration program.
- The consensus process is applied incorrectly: The Task Force does not know how to use consensus properly. Specifically:
 - No facilitator: Consensus relies on the availability of a neutral facilitator to help the group work through issues. The Task Force has never utilized a facilitator and the Task Force Chairperson (traditionally a voting member from the USFWS representing the Secretary of the Interior) is inappropriate to fulfill the facilitation role. Although individual personalities have been instrumental in bringing the TF as far as they have, it cannot be expected that TF membership will always contain this special kind of individual.

- Robert's Rules of Order are inappropriate: Using Robert's Rules of Order as a parliamentary operating system is inappropriate for consensus because it is based on a majority vote system of motions, seconds, amended motions, etc. This is the wrong parliamentary structure for working through issues in search of common ground.

-Parties don't play fair: Parties do not participate fairly for consensus to work. Issues need to be put on the table early enough so the group can work through them, rather than holding one's cards close to the chest, and using the power of the veto to blow up an agreement at the end.

- Abuse of veto power: Divisive issues are no longer brought to the table since it is assumed there will be no progress. Because parties wield the veto power to protect their own political self-interests, no substantive decisions can be made.
- Weak decisions: Decisions reached by the Task Force represent the "lowest common denominator" because the group gets exhausted trying to do any better. The Task Force lacks the skills and leadership necessary to seriously work through issues in search of common ground. Motions are attempted, fail and the issue is either dropped, or the motion is reworded to a bland, non-action forcing version.

RECOMMENDATION: The Task Force has chosen to operate under a consensus rule, and therefore the Task Force should give it a strong chance to succeed. The easy issues have been addressed in the first half of the program, now the Task Force faces the harder issues of water and land use.

The Task Force should clearly put the issues of a well-functioning consensus process on the table and consider the following

- Dedicating a workshop session in the near future to reviewing what a consensus process is supposed to be, and how it is supposed to function
- Hiring a professional facilitator on an "as needed" basis to work through chronic issues such as the Upper Basin Amendment, issues of tribal vs. agricultural water rights, alternative opportunities for water management
- Making a conscious effort to recognizing when issues need to be brought to a facilitator, and scheduling meetings for those specific purposes.
- Discontinuing use of Robert's Rules of Order and adopting a meeting style more consonant with a consensus process.

Funding restoration projects

One of the primary responsibilities of the Task Force is to advise on the distribution of a \$1 million annual federal appropriation for purposes that further the goals of the Act. Toward this end the Task Force has developed a project cycle that solicits, evaluates and awards funds to restoration projects. In addition, all administrative costs for the program for both the KRFWO and the Regional Office in Portland, Oregon are supported by the Program appropriation.

a. The project cycle

Finding: The project funding cycle consumes at least a quarter of the Task Force and TWG's time for project selection, and at least 80% of KRFWO restoration staff time for permitting and administration. Requirements for contract writing, environmental permitting and monitoring of funded projects are significant. Focused effort should be put into working with the Corps of Engineers and other permitting agencies to obtain a *general* permit for restoration activities in the basin to streamline the permitting process.

As currently designed, the project funding cycle includes the following steps:

- 1) Adopt project criteria: Categories for desired projects are proposed by the Technical Working Group and adopted by the Task Force prior to the call for projects. Based on funds available, the Budget Committee of the Task Force sets a funding cap for each category.
- 2) Public call for projects: A public invitation to submit proposals is sent to a broad-based mailing list and advertised in various newspapers.
- 3) Staff review: Task Force staff collate submitted proposals and conduct a preliminary screening. Materials are organized and distributed to TWG members.
- 4) TWG evaluation and ranking: TWG members evaluate the technical merit of the proposals and rank the projects according to a pre-established point system.
- 5) Adoption by the Task Force: The Task Force reviews the TWG recommendations and approves projects in rank order until the funding cap for that category of project is reached. Rules govern the distribution of leftover funds within categories.
- 6) Grant agreement administration and permitting: Funded projects must meet federal procurement regulations and obtain environmental permits. Following selection by the Task Force, KRFWO staff works with project cooperators to develop grant agreements and obtain permits. Because projects often involve work in and around stream channels the permitting process can become very extensive and require

review by the Army Corps of Engineers, the Department of Fish and Game, compliance with archaeology regulations, state and federal Endangered Species Acts, as well as other federal procurement requirements.

Any process that offers public funds will be subject to pressures that can distort fair distribution. During the first half of the program the Task Force faced a variety of such pressures including:

- A voting system that allowed members of the TWG to support their own projects rather than objectively ranking the technical merits of all applications. Project applicants could rank their own projects high and competitors low, regardless of technical merit.
- Lack of clear categories, criteria and point system for ranking projects.
- Decision-making by the TWG on a political rather than technical basis, even though the TWG is supposed to leave politics to the Task Force.
- Disagreements and jockeying at the Task Force regarding the use of “remainder” funds within categories.

Changes in voting rules have largely resolved these problems, and the current approach for evaluating projects is now perceived as reasonably fair and sensible. Current rules prevent project applicants from voting on their own proposals. TWG members can still distort the system by ranking competitors proposals low, but group pressure is discouraging the practice and emphasizing objective professionalism.

By 1997 the process had evolved to where the participants regarded it as fair.

b. The source and quality of restoration projects

Finding: Restoration projects are solicited through an annual public call for proposals but projects submitted do not always target Task Force priorities.

More outreach and coordination with potential cooperators is needed before project submittal. A conversion to a Request for Proposal (RFP) process for high priority projects should be considered .

Although project selection is now considered to be functioning fairly, some problems have been noted regarding the type and quality of projects submitted to the Task Force. Concerns include:

- Shot-gun rather than targeted RFPs: To date the TF has solicited proposals from the interested public giving only general guidance as to types of projects the Task Force

would prefer. While this encourages innovation by applicants, it does not necessarily result in proposals that address the highest priorities of the Task Force. Proposals are submitted based on the priorities of the applicant – that is, projects they may already be working on, projects that benefit their own geographical area or fit a political need. These may not match the priorities of the Task Force either geographically or in subject matter.

Several respondents have suggested substituting a targeted Request for Proposal (RFP) process to solicit proposals for specific tasks. This would require establishing a process for 1) identifying the high-priority needs of the Task Force (discussed in a later section) and 2) designing and writing the terms of RFPs.

c. Task Force capture of restoration funds

Finding: Eighty-five percent of the Program’s restoration funds have been awarded to entities associated with Task Force member agencies, including the CRMPs and RCDs. In part this reflects a trend for “self-dealing” the money, but it also reflects the broad-based membership of the Task Force.

In order to create a broader public constituency for the Task Force, more effort should be put into developing targeted projects within the broader basin community.

Close review of the KRFWO restoration project administrative database suggests that the Program’s awarding of funds has progressed roughly as follows:

- The first stage of the Program involved several non-recurring, “front-end” investments like development of the *Long Range Plan*, the salmon-watershed classroom curricula - even the traveling Program information kiosk - carried out by non-Task Force cooperators.
- While the *Long Range Plan* makes clear that the Shasta and Scott rivers have the highest restoration potential in the basin, these are private-land agricultural areas and the landowners were neither inclined to, nor organized for early Program participation.
- As the Shasta and Scott valley communities deliberated their interest in the Restoration Program, public Task Force entities like the Klamath National Forest, California Department of Fish and Game and the Tribes had the opportunity to accelerate “off-the-shelf” restoration efforts, including habitat assessments, fish screen maintenance and small-scale fish rearing projects.
- When the Shasta and Scott river valley communities finally did organize for restoration action (1993-1994 period) they found a Task Force eager to fund their private-lands projects, precisely as contemplated in the *Long Range Plan*.

- Exclusion of non-members: Several respondents noted the “group capture” of grant funds by TF, TWG and CRMP members to the exclusion of outside individuals or groups. Evidence includes 1) the drop-off in number of grant proposals submitted by outside parties as compared to Task Force members - after one or two rejections, individuals and outside groups become discouraged by the process; and 2) that the funding pattern indicates 85% of Task Force funding has gone to member agencies and groups - if the CRMPs are considered as being members of the Program’s “family”.

A counter-argument has been offered that all the major stakeholders in the Klamath Basin are already represented on the TF and TWG membership, and that a large “excluded” public community does not, in fact exist - especially now that the CRMPs and Tribes are charged with organizing community-level. While it is difficult to document whether exclusion is real or not, it should be a subject for Task Force discussion in terms of whether the Task Force is adequately building a broad, supportive public constituency.

- Active public outreach to generate better proposals: Respondents suggested that staff of the Task Force and CRMP coordinators should conduct more community outreach to potential applicants during the year to help them develop more focused projects. This would help the Task Force in targeting needed priorities and build a larger public base for the program. Workshops were also suggested to help applicants write better proposals.

d. Accountability: completing the loop

Finding: Although the Task Force and TWG put high priority on evaluating and awarding projects, they pay little attention to project findings and results.

There is a notable lack of feed-back in the project cycle after projects are selected. Significant time and energy is expended in the front-end process of soliciting, ranking, selecting and administering project contracts. But feedback regarding the findings and results of completed projects is almost entirely absent.

Failures occur in the following areas:

1) Poorly implemented formal process for Task Force and TWG to review final reports: Final reports submitted by project cooperators are collated annually by the KRFWO and distributed to various libraries and reference services. Memos are sent to members of the TF, Klamath Council and technical support groups providing abstracts of the final reports and inviting members to request full copies. Typically, very few such requests are made.

Several respondents noted that the reason for this failure is that the Task Force is not interested in technical information, and doesn’t want to spend time during meetings discussing project results. A summary from staff or TWG provided by request to

individual interested TF members might be sufficient. Some TWG members suggested that the TWG annually dedicate a meeting day to hearing presentations from cooperators, but others felt that the TWG was already overburdened with existing tasks.

2) Lack of standards for final reports: Although progress reports and final reports are required of project cooperators, and reporting requirements are contained within each signed agreement, there are no explicit standards regarding the rigor of analysis and style for the reports. The quality of final reports varies from cursory summaries to formal scientific journal caliber.

It would also be useful to examine the standards required of cooperators for complying with the terms of their agreements. Current standards only require a showing of “reasonable effort” in producing the work, which leads to wide variation in interpretation and makes it difficult to enforce against poor performance.

3) Too much time allowed for report completion: KRFWO staff is responsible for administering funded projects and obtaining final reports before the five-year grant agreement period expires. Grant agreements provide for a 10% hold-out of final payment until a final report is submitted.

The five-year period may be too long for projects that can be completed in less time, and the 10% holdout may be too small an incentive. Delayed reporting requirements allow cooperators to procrastinate, thereby forgetting results and losing motivation to write about an old project when they now are involved in new ones.

4) Comments from Program cooperators: Although not a focus of this evaluation, anecdotal reports from project cooperators indicated some frustration with the project administration from their side. Complaints included excessive permitting requirements, and excessive bookkeeping and reporting requirements.

Interactions between the Task Force and the Technical Working Group

Finding: The TWG has been assigned increasing workloads by the TF but has denied concurrent logistical support. An exhausting meeting schedule has led to drop-off TWG participation.

Each Task Force member appoints a counterpart to the Technical Working Group. TWG members contribute their time and expertise; slightly more than half of the current TWG members have salaried employment that supports their attendance. Other members must forfeit work days to attend.

The responsibility of the Technical Working Group is to assess issues assigned by the TF from a technical perspective. The workload of the TWG has increased continuously. The Task Force continues to add controversial issues to the TWG’s agenda, in some cases as a method for deferring contentious discussion at a TF meeting. These new issues add to the

existing list of TWG priorities and push some items to lower priority. In addition, the scoping study for the IFIM flow needs study called for in the *Long Range Plan* has required numerous extra meeting sessions during the past year. This has exhausted the ability of several members to attend and participation has decreased. With completion of the scoping study the TWG intends to drop back to quarterly meetings in an attempt to restore attendance, and it plans to make greater use of sub-committees.

Lack of clerical support: Particularly vexing to many TWG members is the lack of clerical support provided for their work. Extensive notes and working papers are generated during TWG meetings. A recent request by the TWG for clerical support was rejected by the KRFWO following a discussion concerning the qualifications of staff needed for the task. The KRFWO contends they do not have room in the administrative budget to add clerical support to the TWG. In response, TWG members have questioned the need for four KRFWO staff members to attend each Task Force meeting, and have suggested diverting one of the support staff for use by the TWG.

Interactions between the TF and KFMC

The Klamath Fishery Management Council (KFMC) was established concurrently in the Klamath Act with the Klamath Task Force. In contrast to the Task Force's mandate for restoration, the KFMC was charged with making recommendations regarding river and ocean harvests. Recommendations from the KFMC are to be forwarded to the fish and game agencies of California and Oregon, the tribes, and the Pacific Fishery Management Council for use in harvest management decisions. The Act expressly provided for overlapping membership between the KFTF and KFMC with the expectation that the two groups would cooperate in exchanging information and arriving at coordinated policy decisions.

The issues and decisions of the KFMC are outside the scope of this evaluation. However interviews were conducted with ten KFMC members regarding the organizational behavior and coordination between the KFMC and the Task Force. Appendix 2-2 summarizes the responses of KFMC members. The perceptions of KFMC members regarding inter-group coordination include:

- *Communication should be improved:* There is a general sense that inter-group communication is not as close as it should be. In spite of overlapping memberships, periodic joint meetings and the Three- and Five Chairs agency coordination, the transfer of information between the two groups is felt to be weak.

Some KFMC members feel that poor communication has resulted in misdirected decisions by the Task Force. Some respondents felt that the non-KFMC Task Force members do not fully appreciate the role the KFMC must play and the hard decisions it must make, especially when new TF members come on board. The upstream-downstream tensions of the Task Force are a frustration to KFMC members, who perceive that upstream interests do not understand the severe economic impacts on the sport and commercial fishing

industry. If upstream interests better appreciated downstream hardships, they might modify their rigid positions regarding land and water use.

It was noted that KFMC staff gave substantial attention to TF and CRMP constituents regarding harvest and recruitment issues on the Shasta River. This raised the issue whether CRMP funds should be directed to harvest issues at all when they are outside the TF's work agreement funding the CRMPs.

- *Concern re: role of TWG and KFMC:* The dominant role of the TWG in TF decision-making was cited as affecting inter-group coordination. The strong role of the TWG, particularly in budget recommendations, is seen as pre-empting authority and judgment that should rest with the TF and KFMC. Suggestions were made that the technical teams of each body should meet jointly to provide more KFMC input into budget prioritizing.
- *The KFMC has good internal working dynamics:* The judicial resolution of tribal fishing rights relieved the KFMC of an internally divisive issue, and since then the KFMC is felt to have evolved into a well-functioning group. Some suggested that the dynamics, civility, and spirit of give-and-take practiced in the consensus process of KFMC might serve as a constructive example to the Task Force. KFMC members particularly appreciate the facilitation skills of the current chairman.

Specific issues

- *Funding routine monitoring:* Strong sentiment is found among KFMC members regarding the poor funding of the fish monitoring needed for basic management recommendations. The Klamath Act calls for the Secretary of the Interior and the California Department of Fish and Game to “furnish the Council with relevant information concerning the Area”, but KFMC members are increasingly impatient with Fish and Game, the US Fish and Wildlife Service and the Bureau of Reclamation for not providing sufficient funds to meet this information requirement.

The lack of funding for basic escapement and recruitment data drove the KFMC to request money from the Task Force. Their request was denied. This was disappointing to some who felt it was one of the few requests KFMC had ever made to the TF and that it should have been granted. Others oppose the principle of committing Task Force money for routine monitoring since that draws away from the restoration program.

It was noted that data collected for the IFIM study does little good for the KFMC since it is not species-specific.

- *Hatchery policy:* Improvement in hatchery operations was noted as an example of successful interagency coordination brought about by the KFMC, TF and the Three Chairs. KFMC members feel hatchery issues should be addressed jointly since hatcheries affect both management and restoration.

- *Other issues:* Additional comments were made by KFMC members regarding water issues, restoration policies and high administrative overhead costs, but these were directed more generally at the Restoration Program as a whole rather than specific KFMC-TF coordination.

Conclusions and recommendations regarding TF/KFMC relations

The interrelated responsibilities of the KFMC and Task Force call for a high level of coordination to meet the goals of the Klamath Act. In practice, however, the natural tendency is for each group to go its own way, one focused on harvest and the other on disbursing funds for restoration projects. Each group develops its own working style, jargon and intra-group dynamics, even with the overlapping memberships.

The test of whether coordination between the two groups is “working” or not is ultimately whether decisions are made by either group that flagrantly frustrate the goals or programs of the other. This was not a complaint of either TF or KFMC members. Frustrations were expressed by both groups with the general constraints of the Program *as a whole*, both financial and political, but more in the vein that “things could be better”, and not that “we’re working at cross-purposes”.

Existing mechanisms for fostering interchange already take advantage of the obvious methods: joint meetings, high level staff communication, overlapping memberships and status reports at each other’s meetings. The opportunity is clearly there for interested members of either group to find out what is happening in the other. The key, of course, rests in the interest level of the individual members to understand and take into account the issues of the other during decision-making. This is a function of the commitment of individual appointees rather than something that can be solved by institutional re-arrangements.

With respect to joint meetings between the KFTF and KFMC, a review of the minutes of joint meetings indicates that in general the joint meetings are not “action” meetings for either group. Rather, the joint meetings are largely informational, listening to summary reports from various third parties. Adding more directed agenda items, aimed at stimulating debate between the two groups and perhaps resulting in joint statements -- rather than passive listening to third-party presenters -- may promote better interchange.

Specific recommendations for further improving communication include:

- 1) Joint meetings between the technical groups of KFMC and KFTF to improve understanding of mutual issues and funding
- 2) Identification of a class of issues that should be mutually considered by both groups before actions are taken, such as hatchery issues.
- 3) Joint discussions regarding funding of ongoing monitoring needs, with the goal of developing a joint position statement to involved agencies.

Administering the Task Force: The KRFWO and RO

Supporting the costs of program administration is never as popular as promoting program achievements. A series of factors however appear to be causing a higher- than-expected negative perception of Klamath program administration.

Finding: Program administration is perceived as weak and overstaffed, but in fact staff workload is high for the volume and dollar value of projects administered. Differences in expectations and lack of communication between KRFWO staff and Task Force members exacerbate negative perceptions.

Where the administrative money went: 1989 - 1997

Of the \$1 million made available to the Restoration Program each year over the period of this evaluation (Figure 6-1):

- 40% went to program administration (KRFWO and RO)
- 8% to program planning and coordination, and
- 52% to restoration projects

Portland Regional Office: The RO has deducted approximately \$80,000 annually for overhead costs for the Task Force program. Both the amount and the bookkeeping system have varied over the evaluation period², but the average is around \$80,000. Members of the TF and TWG indicate they do not receive any accounting of how this money is spent and do not perceive any “service” derived from the funding, other than attendance at TF meetings by the USFWS Chairman. The amount is perceived to be excessive given the lack of accounting or justification.

Klamath River Fish and Wildlife Office, Yreka: Office costs attributed to support of the Task Force at the KRFWO have varied from approximately \$178,000 to \$344,000 annually, with a current level around \$320,000. Salary and benefits for KRFWO staff account for about 60 - 70% of this amount. Travel is the second largest category (about 15%), with vehicle leasing, space leasing, utilities, computers, supplies and other miscellaneous accounting for the rest. (Table 6-1).

² Prior to 1997 the KFO received \$1M and paid RO overhead out of that amount. Since 1997 the RO has deducted overhead costs before transferring funds to the KFO account. See Figure 6-2.

Figure 6-1. Summary of Restoration Program Expenditures 1989-1997

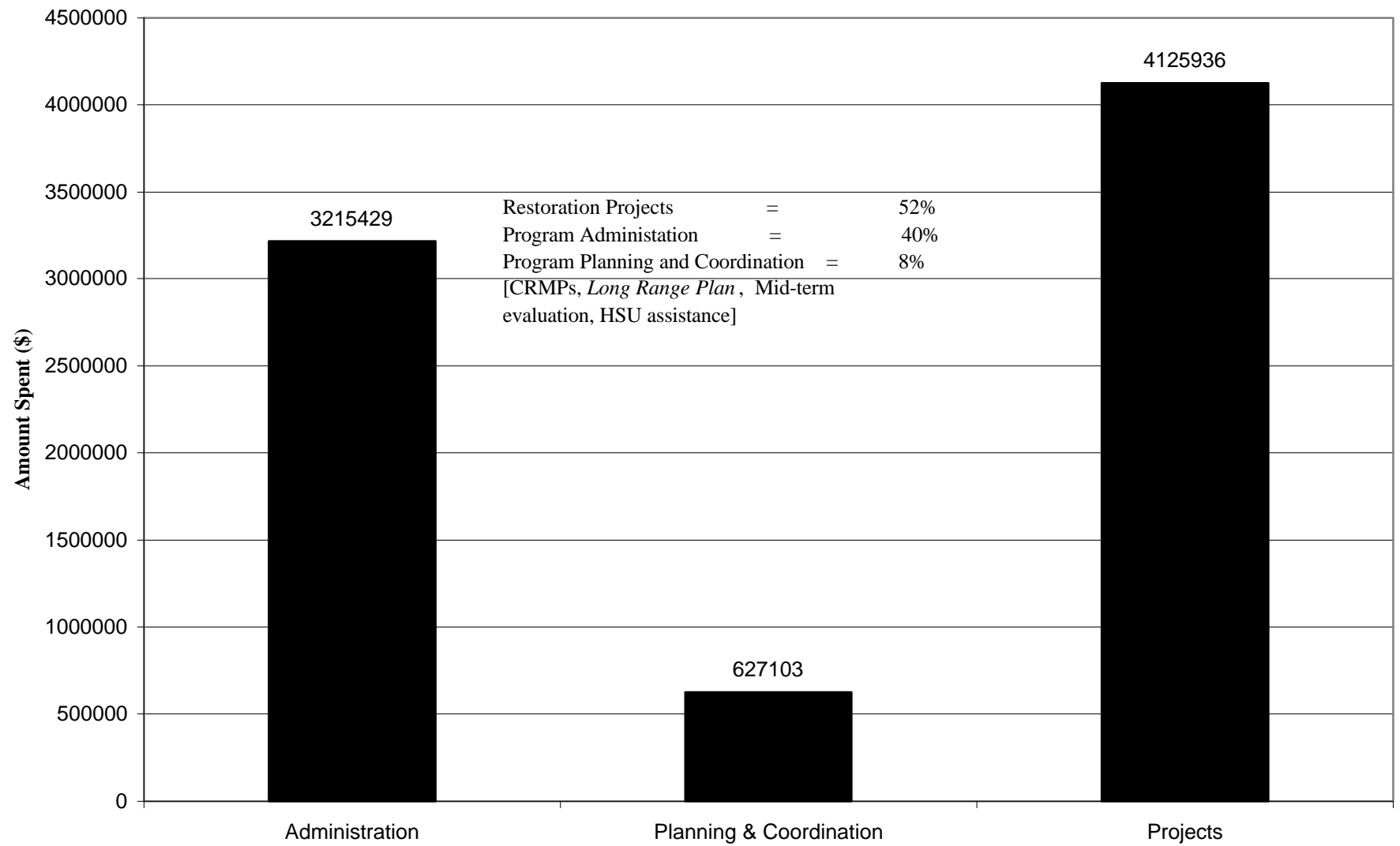
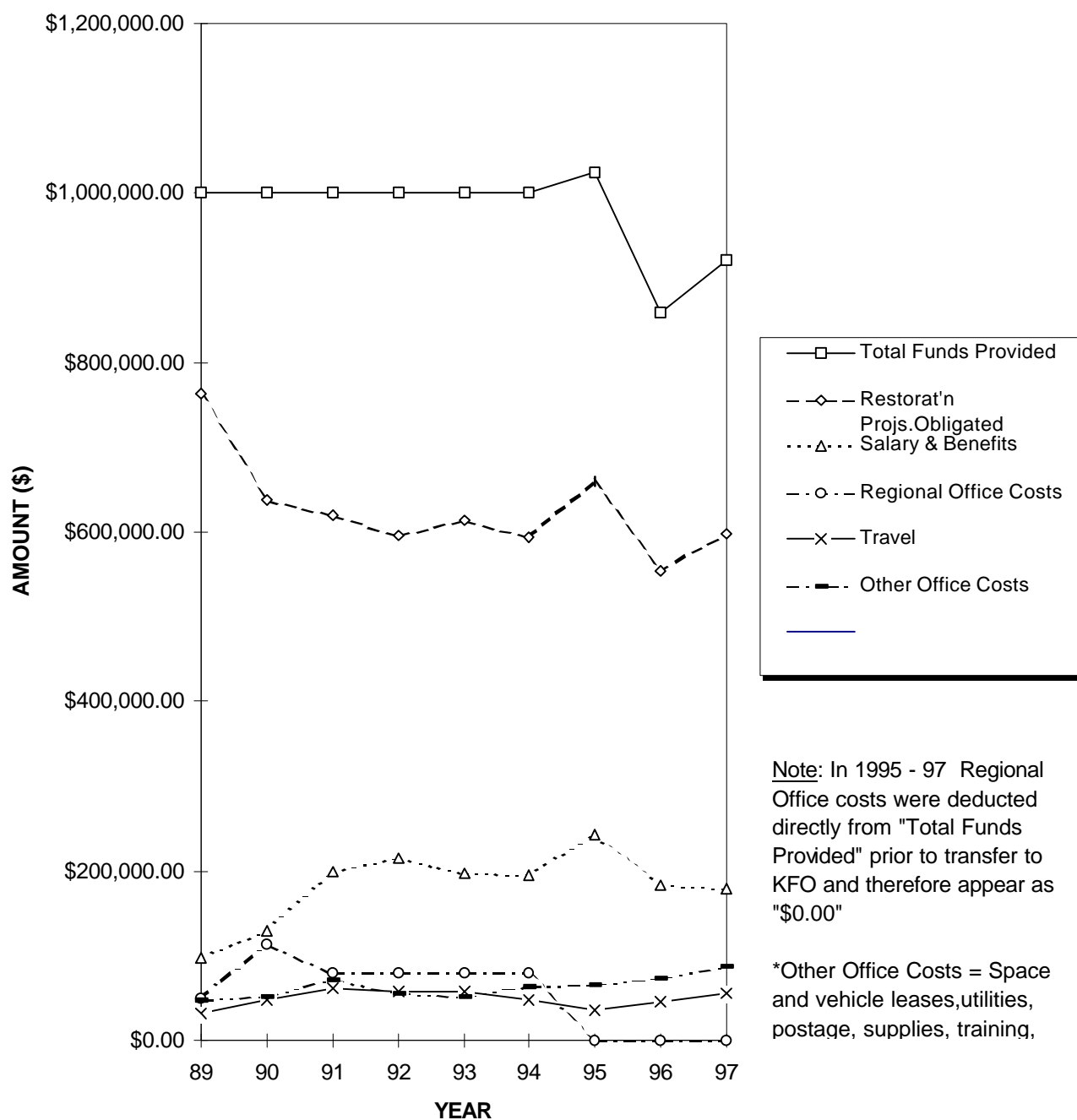


Table 6-1. KRFWO Administrative Costs

Administrative Costs	89	90	91	92	93	94	95	96	97	Total
Salary & Benefits	97,978.08	129,884.00	198,782.24	215,728.37	196,746.43	194,884.67	242,198.80	183,045.00	178,487.00	1,637,734.59
Travel	31,916.92	47,204.68	62,280.74	57,486.11	57,384.00	48,523.01	35,732.80	46,211.00	55,358.00	442,097.26
PCS relocation	0.00	7,262.00	0.00	105.00	10,984.00	0.00	4,697.00	0.00	7,995.00	31,043.00
Vehicle Lease	4,027.00	4,965.00	1,893.43	2,622.62	998.00	3,170.00	2,977.00	6,120.00	9,403.00	36,176.05
Space Lease	0.00	2,653.00	13,955.00	9,473.00	11,478.00	7,388.00	0.00	2,080.00	5,950.00	52,977.00
Utilities	4,017.75	3,090.00	4,718.14	1,505.42	473.01	1,937.00	14,163.35	4,192.00	3,683.00	37,779.67
Postage	0.00	0.00	71.00	284.25	6,280.00	707.00	946.00	589.00	1,017.00	9,894.25
Printing/copying	708.00	0.00	11,327.00	2,131.00	215.00	2,169.00	1,581.00	1,799.00	1,318.00	21,248.00
Computer Maint.	0.00	0.00	0.00	200.00	0.00	1,125.00	81.00	6,233.00	10,482.00	18,121.00
Lease/rental copier,fax	0.00	0.00	2,914.00	9,383.00	1,466.00	139.00	2,725.00	693.00	3,096.00	20,416.00
Contract Admin. Services	0.00	0.00	3,039.00	2,725.00	2,867.00	12,881.00	13,928.43	19,895.00	17,214.00	72,549.43
Training	0.00	0.00	1,475.00	970.00	8,762.05	1,624.00	1,135.00	1,315.00	2,886.00	18,167.05
Supplies	18,103.02	7,283.97	23,222.39	13,255.75	8,098.00	13,935.65	16,026.72	17,079.00	11,228.00	128,232.50
Non-cap property	0.00	0.00	1,293.00	704.55	331.99	18,129.00	7,824.00	6,697.00	13,029.00	48,008.54
Capitalized Property	21,354.73	25,808.41	8,722.67	13,241.00	0.00	377.30	366.40	6,610.00	0.00	76,480.51
Total Office Costs	178,105.50	228,151.06	333,693.61	329,815.07	306,083.48	306,989.63	344,382.50	302,558.00	321,146.00	2,650,924.85
Restorat'n Proj.Obligated	763,070.00	638,724.00	619,095.00	595,364.00	613,992.00	593,048.00	659,904.00	553,405.00	598,791.00	5,635,393.00
Regional Office Costs	50,000.00	114,061.00	80,000.00	80,000.00	80,445.00	80,000.00	0.00	0.00	0.00	484,506.00
Total Funds Provided	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,025,000.00	860,000.00	920,000.00	8,805,000.00
Unobligated Balance	8,824.50	19,063.94	-32,788.61	-5,179.07	-450.48	19,962.37	20,713.50	4,037.00	63.00	34,246.15

Figure 6-2. Klamath Restoration Program 1989 - 1997- Total Program, Restoration Projects, KFO and Portland Regional Office Costs



Staff Organization: Three professional positions currently serve the Restoration Program full time, plus a shared Project Leader and a shared support staff person. Five positions are authorized for the Program, but one is currently vacant and one is devoted to administering projects not funded with Task Force funds, e.g. Jobs in the Woods and Clean Water Act grants. (See KRFWO organization chart, Figure 8-1)

The Project Leader splits time between administering the Restoration Branch consisting of the Task Force and KFMC programs, and administering the Forest Resources Branch which is a separate USFWS consultation program for the US Forest Service.

Administrative and clerical support for the two branches is provided by a shared pool.

KRFWO Tasks: The primary tasks conducted by the Ecosystem Restoration Branch on behalf of the Task Force include:

1. Project Management: Responsible to the USFWS for
 - Managing the budget, staffing and office
 - Organizing logistics, agendas and attending TF meetings
 - Organizing logistics, agendas and attending KFMC meetings
 - Preparing Annual Reports, audits and other coordination with USFWS
 - Providing general project leadership
2. Managing Restoration Projects
 - Preparation and distribution of the public call for projects
 - Review, organizing and distribution of submitted proposals to TF and TWG
 - Project Administration including contract preparation, environmental permitting, project oversight, invoicing, payments and closeout.
3. Administration and interagency coordination for the IFIM flow study
4. Transcribing, editing and organizing of TF minutes
5. Attendance at TWG meetings
6. Coordination and supervision of support staff

Workload: Three aspects of the KRFWO responsibilities consume the majority of staff time:

a) Managing Restoration Grant Agreements. This task has grown over 300 % in terms of numbers of projects and dollar value administered over the course of the evaluation period. The biggest period of expansion occurred between 1989 and 1992. At present three persons (two biologists and an administrative assistant) administer over 90 projects.

An average of 29 projects are approved annually and an average of 17 are completed, thus there is continual upward creep in the total number of projects administered.

Project management for federally-funded projects is substantially more complex than for private non-profit organizations owing to strict federal provisions. Because many projects

involve work in or near a watercourse, environmental permit requirements must be met. These including compliance with CEQA and NEPA, Department of Fish and Game streambed alteration agreements, state and federal Endangered Species Act compliance, state and federal historical preservation requirements including archaeological surveys, Regional Water Quality Control Board review and other agency requirements. Making sure these permissions are obtained is the responsibility of the KRFWO staff.

b) IFIM study coordination

A substantial portion of KRFWO staff time is currently required to coordinate the IFIM flow study. Negotiation and administration of interagency contracts between the USFWS and the California Department of Fish and Game, the USGS and private contractors has consumed more effort than originally expected. With completion of project scoping, this coordination task will become more complex and is estimated to require at least a half-time position.

c) Minutes of Task Force meetings:

Extensive minutes are taken of Task Force meetings. At least ten person-days are required to transcribe the tapes of each meeting and organize a coherent record. Minutes can extend up to 50 pages. More condensed action minutes are also prepared.

The preparation of such extensive minutes provides a very complete record of discussion and actions taken by the Task Force. However this is also very consumptive of staff time to transcribe the tapes verbatim and perform follow-up organization and editing.

d) Administering non-Task Force funds

In addition to administering the \$1 million in Task Force funds annually, the KRFWO also administers non-Task Force funds for projects in the Klamath basin, the majority of which are federal Jobs in the Woods projects and Clean Water Act Section 319(h) grants.

The workload for administering non-Task Force funds now consists of three dozen projects with a dollar value approaching \$1.5 million. A separate staff position has been dedicated to administering these projects. Further analysis is needed to determine if the overhead provided for these projects is sufficient to cover the cost of their administration.

Perceptions about KRFWO administration

A strong negative perception exists on the part of numerous Task Force and TWG members regarding the duties and performance of KRFWO and Portland RO staff. Concern stems from the high administrative costs for the program and the lack of understanding as to how administration money is spent. The issues include:

- A relatively high cost of program administration (40%) compared to the funds available for restoration projects
- A perception that the administrative tasks of the KRFWO are primarily secretarial
- A perception that staff is primarily working on non-Task Force items
- The passive leadership style of Project Leader
- A lack of accountability from the Portland Regional Office on how their share of program dollars are used.

Response from KRFWO staff provide a counterpoint to these perceptions and indicate strong differences in expectations between TF members and KRFWO staff and a clear lack of understanding by TF members concerning what the office actually does.

Perceived staff duties: Staff functions are perceived as consisting primarily of secretarial duties in arranging the logistics for Task Force meetings and taking minutes. For the most part, these functions are the only ones that most Task Force members see.

Management of project agreements are perceived as trivial, or not done efficiently. There seems to be little staff interaction with Task Force members between or during meetings, and a feeling of distrust that Task Force monies are being spent on non-Task Force duties.

Some members believe program administration funds are insufficient, that current staff are overworked and that the Task Force gives too many conflicting directions to staff as to what priorities come first, leading to a perception of lack of direction.

Project Leadership

Several respondents take issue with the leadership style of the Project Leader and staff, citing the following as weaknesses:

- Not proactive: Project leader does not promote the Task Force mission, interact with other basin interests, or generate additional funding sources
- Project leader is almost an invisible presence during Task Force meetings
- Project leader does not use initiative to bring items to the agenda or help the TF to work together better

These are countered by the following:

- The Project leader's primary responsibility is to the Fish and Wildlife Service, and the administration appears highly satisfied with the Program. Awards were recently given to the Project Leader commending his performance with the Task Force and KFMC.
- The Task Force does not request stronger staff participation in meetings
- The Task Force is advisory to the Program and the KRFWO staff take direction from the Project Leader, not the Task Force.

Issues of leadership style and the relationship between the Task Force and USFWS staff are a matter of judgment. Ultimately the Project Leader answers to superiors within the USFWS, not to the Task Force. However, the critical comments of Task Force respondents should be carefully considered by all.

It is recommended that a formal, closed session be held between Task Force and staff to discuss how communications can be improved. Consideration should be given to:

- 1) Regular, agendized staff reports (either written or oral) at Task Force meetings to discuss work loads, project status, current issues.
- 2) Discussion regarding the desirability of a more pro-active leadership style to promote the Task Force presence and reputation in the Basin

4) Distribution of USFWS Annual Report: An annual report is submitted from the KRFWO in Yreka to the USFWS as required under USFWS procedures. In recent years the report has also been submitted to the congressional delegation within the Klamath Basin. However this report is not routinely made available to Task Force or TWG members.

The Annual Report contains a summary of actions taken by the Task Force and the Klamath Fisheries Management Council during the year. Final reports of project cooperators are summarized as well as administrative costs. Reports are distributed to the US Fish and Wildlife Service and congressional delegation, but not to the Task Force.

Some comments have been made, however, that TF members are not interested in reading substantive materials sent to them, such as project completion reports, staff reports or annual USFWS reports.

Planning and Priority Setting

Finding: Lack of clear priorities in the *Long Range Plan* leaves the Task Force without a adequate sense of direction.

Strong emphasis should be placed on implementing the sub-basin planning process to identify high priority restoration needs on a basin-by-basin basis. A clearer plan of action will likely be necessary to justify any future re-authorization and funding of the Act.

The Klamath River occupies an enormous drainage basin and encompasses a diverse geography, vegetation, river ecology, economic base, social and political culture. Since the 1970s two major planning efforts have been made addressing the resource and fishery needs of the basin.

A Klamath River fisheries resources plan (CH2M Hill, 1985), developed for the basin prior to the Klamath Act,³ introduced the concept of sub-basin planning. For various reasons the plan was not implemented, but the concept of tailoring plans to geographic sub-basins remains valid.

Following passage of the Klamath Act, the *Long Range Plan* for the Klamath Basin was commissioned and adopted by the Task Force⁴. This plan was organized on a policy and land-use basis (e.g. timber, mining, agriculture, fish habitat) rather than by geographic sub-basins. Specific problems were identified by topic area, and lists of needed actions were compiled in a “step-down” series of goals and objectives.

Setting priorities: The task of setting priorities within the *Long Range Plan* was stymied, however, by the divided composition of the Task Force. At the time of plan adoption the group could not come to agreement on what the priorities for action should be. In order to get a plan adopted at all, prioritization was left to “later”.

Since then, an ad hoc prioritization has occurred through the project funding process. Decisions on what projects to fund have been made through political struggles at the TF and TWG. Only recently have the rules for a more technical evaluation stabilized the selection process. In part, the override decision by the USFWS to initiate the IFIM flow study is a result of the lack of explicit Task Force priorities. The use of the federal override was a shock to Task Force members as it made clear their advisory, rather than decision-making authority.

Adopt the new streamlined Plan objectives offered in this Program Evaluation in order to make Program prioritization and project tracking easier.

³ CH2M Hill, Klamath River Basin Fisheries Resource Plan, USDO, BIA, Portland, 1985

⁴ USFWS, Long Range Plan For The Klamath River Basin Conservation Area Fishery Restoration Program, Prepared for the KRBFTF by Kier Associates, 1991

Next Steps: Sub-Basin Planning

The job of prioritizing Task Force objectives still has not been completed and has contributed to a lack of direction in Task Force decisions. Some members have felt very strongly about this problem and the issue has been turned over to the TWG where a subcommittee developed a strategy for sub-basin planning. Now that the majority of IFIM scoping has been completed, the TWG should return some attention to completing its sub-basin planning protocol. Sub-basin planning has been on-going at the local level and plans are at different stages of development:

- The Shasta CRMP has a completed sub-basin planning document that has findings and recommendations that are focused and frank. The mid-term project goals are to construct at least 3 miles of riparian fencing annually, replant at least 1.5 miles of river bank per year, reduce the mainstem Shasta temperature at Montague-Grenada Road by 5⁰ F (from a baseline of 80.60 F in 1996) and to implement water conservation so that flows are never less than 20 cfs within 10 years. Two other notable goals are to develop a downstream salmon migrant index within three years and to raise the dissolved oxygen to above 6 ppm along the entire river. There is no time frame given for achievement of this last goal.
- The Scott CRMP has split sub-basin planning efforts into elements such as fish, flows, monitoring and agriculture. The fish element (Scott CRMP, 1998) and fall flow elements (Scott CRMP, 1997) are complete but presently under revision. The fish plan offers specific prioritization and actions regarding fish screening, riparian restoration and monitoring.
- A Draft Mid-Klamath Fisheries Restoration Sub-Basin Action Plan was recently completed under the direction of the Karuk Natural Resource Department staff (Polmateer, 1999). It represents a compilation of existing planning documents relating to this area, which extends from Iron Gate Dam to Weitchpec. Although action categories are given some prioritization, recommendations are not specific.
- The Salmon River Restoration Council (SRRC) and the Klamath National Forest are working collaboratively on the Salmon River sub-basin restoration plan. The USFS has advanced technology for determining cumulative effects and has also completed some elements of its transportation plan for some areas within the Salmon River Basin. The SRRC has also developed technical expertise and has the capability to help improve the accuracy of data used for planning. For example, the SRRC and its members intend to help the USFS establish more accurately the current and historic range of the various species of anadromous fish in the basin.
- The California Coastal Conservancy recently funded a Lower Klamath Basin watershed restoration plan..

The TWG should review these sub-basin plans and advance them to the Task Force for approval.

Sub-basin planning groups that have large tracts of USFS land within their watershed area should work collaboratively with the USFS on planning to take advantage of their technical expertise.

Keeping it Current

One intent of the *Long Range Plan* was that it be maintained as a living document which would be updated and improved as the Task Force continued its work.. It was three-hole punched so that pages could be rewritten and updated as new information was obtained.

Unfortunately this goal has not been met for several reasons:

1. The natural tendency for committee members to put plans on their bookshelves and not feel bound by their recommendations. Adoption of a plan is perceived as an completed accomplishment rather than “just the start”. Attention gets moved to other issues. Rather than maintaining and updating the document to keep it current, the document is forgotten over time and is not used as an active reference tool for decision making.
2. New members often do not read the plan in detail when they come aboard, and most importantly, do not have a sense of “buy-in” to the plan since they were not part of the dynamics of plan preparation and adoption.

Original recommendations in the original *Long Range Plan* were redundant and varied in scale. This caused problems for the Task Force in prioritization and in developing a database for the USFWS’ use in tracking Program activities. With regard to the latter, similar projects have been recorded as responding to different objectives. This report has attempted to consolidate and simplify the recommendations while maintaining their integrity. The sub-basin planning process should rejuvenate interest in setting the direction for the Task Force’s next years.

Adopt the recommendations advanced in this Evaluation in lieu of the original recommendation structure of the *Long Range Plan*.

Adopt sub-basin action plans approved by the TWG and use them to prioritize funding at the sub-basin level.

The current federal budget request will bring an additional \$25 million to California for salmon restoration if the State provides matching funds. Large scale funding for stream easements and restoration projects in basins impacted by agricultural activities should provide money for coordination as well. The fact that sub-basins within the Klamath Basin

are relatively advanced in planning efforts should give them an advantage in competing for these funds.

The Task Force and cooperators should begin to contact both State and federal officials to make sure that they are aware of the advanced stage of restoration planning and implementation in the Klamath Basin and of the need for additional funds.

IFIM

Commitments have been made to conduct the IFIM study but argument remains as to how much should be funded from Task Force funds. Several respondents called for more of the burden being placed on agencies and utilities who need the information for regulatory decisions, such as the Bureau of Reclamation, the USFWS, and PacifiCorp which faces a FERC relicensing procedure.

The Future: Meeting the Goals of 2006

The Restoration Program's *Long Range Plan* states the following goals the Program intends to achieve by the end of its statutory life:

1. Restore, by the year 2006, the biological productivity of the Klamath River basin in order to provide for viable commercial and recreational ocean fisheries and in-river tribal (subsistence, ceremonial and commercial) and recreational fisheries.
2. Support the Klamath Fishery Management Council in the development of harvest regulation recommendations that will provide for viable fisheries and escapements.
3. Recommend to the Congress, state legislatures, and local governments the actions each must take to protect the fish and fish habitats of the Klamath River basin.
4. Inform the public about the value of anadromous fish to the Klamath River region and gain their support for the Restoration Program.
5. Promote cooperative relationships between the lawful users of the basin's land and water resources and those who are primarily concerned with the implementation of the Restoration Plan and Program.

Specific Issues

1. Funding

- The Program can handle more money, the institutions and mechanisms are in place. With completion of sub-basin plans, the priorities for action will be clear. The Program can show specifically where money is needed.
- USFWS should contribute a larger share of administrative costs to the program, similar to all the other member agencies (e.g., DFG, USFS, Counties, Tribes)

2. Public Support

- Major public outreach and mobilizing the TF's own constituencies will be needed for any attempts at reauthorization or increasing funding

3. Responsibilities of Task Force Members

Comments were often made that TF members come to the meetings only to ensure their self interest is protected and not to act constructively in furthering the mission of the Act.

The Task Force is only as strong as the commitment of its members. Fingers can be pointed at the lack of funding, administrative costs, complaints regarding the consensus process, and a host of imperfections that are endemic in any effort to handle large problems. But ultimately the responsibility comes back to the members and their sense of duty to the task.

The Task Force is at a crossroads. It is at a point where the easy decisions have already been made. The major issues left on the table are the tough ones: water management, water rights, water quality and water quantity. Many respondents suggested that win-win arrangements are possible between agricultural and fishery interests, but no one is taking them on. There is a stalemate because there appears to be no process or political will to get the discussion started.

The Task Force offers an institutional framework for bringing these problems to the table, but currently seems to lack the leadership, political will and willingness to accept the risk of trying to do it. It can continue to sweep discontent under the rug, nibble at the margins of problems without confronting the true ecological issues of the basin, and avoid facing the political divisions. The program will run its course, showing a modicum of small scale successes in fencing, screening, hatchery, and data gathering efforts. But in the end it will not have grappled with the fundamental issues of what is necessary to restore sustainable fish populations in the Klamath Basin.

The requirement for consensus will continue to be a problem, but this does not mean the task should be dodged. The alternative is to take this Evaluation as a wake-up call and confront the issues that now stymie the group.

Recommendation: The Task Force should work with the services of a skilled facilitator in a closed retreat session, to set issues clearly on the table and set out a plan of action. The Task Force needs to go through the process of identifying its high priority needs to serve as guidance for future decisions. Issues that “get stuck” because of lack of agreement should be compiled in a list, and reasons for the lack of agreement made explicit. These should then become the subject of concentrated facilitated discussions.